

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

The Honorable Ricardo S. Martinez

May 9th 20 23
By Bavi Subramanian, Clerk
Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABDUL QASIM RAY ZAHIR,

Defendant.

NO. CR22-0144 RSM

SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT 1

(Murder in the Second Degree)

On or about May 28, 2022, on the Tulalip Indian Reservation, Indian Country as defined by Title 18, United States Code, Section 1151, and in Snohomish County, in the Western District of Washington, ABDUL QASIM RAY ZAHIR, an Indian, did unlawfully kill an Adult Victim with malice aforethought.

All in violation of Title 18, United States Code, Sections 1111 and 1153(a).

COUNT 2

(Using a Firearm During a Crime of Violence)

On or about May 28, 2022, on the Tulalip Indian Reservation, and in Snohomish County, in the Western District of Washington, ABDUL QASIM RAY ZAHIR

1 knowingly used and carried a firearm during and in relation to a crime of violence, that is,
2 *Murder in the Second Degree*, as alleged in Count 1 above; and knowingly possessed
3 said firearm in furtherance of said crime of violence.

4 The Grand Jury further alleges that in the commission of the offense alleged in
5 Count 1, ABDUL QASIM RAY ZAHIR brandished and discharged the firearm.

6 All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i)-(iii).

7 **COUNT 3**

8 **(Unlawful Possession of a Firearm)**

9 On or about May 28, 2022, on the Tulalip Indian Reservation, and in Snohomish
10 County, in the Western District of Washington, ABDUL QASIM RAY ZAHIR, knowing
11 he had been convicted of a crime punishable by a term of imprisonment exceeding one
12 year, to wit:

13 a. *Possession with Intent to Distribute MDMA (Ecstasy)*, in United States District
14 Court for the District of Oregon, Cause No. CR06-60141-1-AA, on or about
15 July 25, 2007; and

16 b. *Unlawful Possession of a Firearm in the Second Degree*, in King County
17 Superior Court, Cause No. 05-1-09449-1 KNT, on or about November 4, 2005;

18 did knowingly possess, in and affecting interstate and foreign commerce, a firearm: a
19 9mm semiautomatic Glock-style firearm with no serial number, with a dark gray lower
20 receiver, a brown/tan color slide with green and darker brown camouflage markings.

21 All in violation of Title 18, United States Code, Section 922(g)(1).

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COUNT 4

(Unlawful Possession of Ammunition)

On or about May 28, 2022, on the Tulalip Indian Reservation, and in Snohomish County, in the Western District of Washington, ABDUL QASIM RAY ZAHIR, knowing he had been convicted of a crime punishable by a term of imprisonment exceeding one year, to wit:

a. *Possession with Intent to Distribute MDMA (Ecstasy)*, in United States District Court for the District of Oregon, Cause No. CR06-60141-1-AA, on or about July 25, 2007; and

b. *Unlawful Possession of a Firearm in the Second Degree*, in King County Superior Court, Cause No. 05-1-09449-1 KNT, on or about November 4, 2005;

did knowingly possess, in and affecting interstate and foreign commerce, ammunition:

- Two magazines loaded with 5.56x45 NATO/.223 Remington rounds;
- Two loose AK47-style rounds;
- A drum-style magazine loaded with 9mm Luger rounds;
- A 27-round magazine loaded with 9mm Glock rounds;
- A black plastic, 31-round magazine loaded with 9mm rounds;
- A PMAG 12 GL9 magazine loaded with 9mm rounds;
- An AK47-style magazine loaded with Winchester 7.62 x 39 rounds;
- An AR15-style magazine loaded with .223 Remington rounds;
- A plastic bag containing loose 9mm rounds;
- A partially filled box containing 26 .40 S&W rounds;
- A box containing fifty 50 .22 Long Rifle rounds;
- A partially filled box containing 48 22 WMR rounds; and
- A PMAG 27 GL9 magazine loaded with 9mm rounds;

all of which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

The allegations contained in Counts 1, 2, 3, and 4 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture.

Upon conviction of the offense alleged in Count 1, the defendant, ABDUL QASIM RAY ZAHIR, shall forfeit to the United States, any property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the offense. All such property is forfeitable pursuant to Title 18, United States Code, Section 981(a)(1)(C), by way of Title 28, United States Code, Section 2461(c).

Upon conviction of any of the offenses alleged in Counts 2, 3, and 4, the defendant, ABDUL QASIM RAY ZAHIR, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), by way of Title 28, United States Code, Section 2461(c), any firearms or ammunition that were involved in the offense, including but not limited to:

- a 9mm semiautomatic Glock-style firearm with no serial number, with a dark gray lower receiver and a brown/tan color slide with green and dark brown camouflage markings;
- Two magazines loaded with 5.56x45 NATO/.223 Remington rounds;
- Two loose AK47-style rounds;
- A drum-style magazine loaded with 9mm Luger rounds;
- A 27-round magazine loaded with 9mm Glock rounds;
- A black plastic, 31-round magazine loaded with 9mm rounds;
- A PMAG 12 GL9 magazine loaded with 9mm rounds;
- An AK47-style magazine loaded with Winchester 7.62 x 39 rounds;
- An AR15-style magazine loaded with .223 Remington rounds;
- A plastic bag containing loose 9mm rounds;
- A partially filled box containing 26 .40 S&W rounds;
- A box containing 50 .22 Long Rifle rounds;

- A partially filled box containing 48 22 WMR rounds; and
- A PMAG 27 GL9 magazine loaded with 9mm rounds.

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1 **Substitute Assets.** If any of the above-described forfeitable property, as a result of
2 any act or omission of the defendant,

3 6. cannot be located upon the exercise of due diligence;

4 7. has been transferred or sold to, or deposited with a third party;

5 8. has been placed beyond the jurisdiction of the Court;

6 9. has been substantially diminished in value; or,

7 10. has been commingled with other property which cannot be divided without
8 difficulty;

9 it is the intent of the United States to seek the forfeiture of any other property of the
10 defendant, up to the value of the above-described forfeitable property, pursuant to
11 Title 21, United States Code, Section 853(p).

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13 A TRUE BILL:

14 DATED: 09 May 2023

15 *Signature of the foreperson is redacted*
16 *pursuant to the policy of the Judicial*
17 *Conference of the United States*

18 _____
19 FOREPERSON

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21 _____
22 NICHOLAS W. BROWN
23 United States Attorney

24 
25 _____
26 TODD GREENBERG
27 Assistant United States Attorney

28 
29 _____
30 J. TATE LONDON
31 Assistant United States Attorney